



Kraft Foods

Ronald J. Triani
Director, Scientific Relations

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August 21, 2000

Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

RE: CFSAN 2001 PRIORITIES
65 Fed. Reg. No. 39415, June 26, 2000
Docket No. 98N-0359

Dear Sir or Madam:

Kraft Foods, Inc., is the nation's largest consumer packaged food company, producing over 8 billion individual packages of food a year, with annual sales over \$17.5 billion in 1999. Kraft products are sold under well known brand names – such as Oscar Mayer, Jell-O, Maxwell House, Post, and Kraft – that are found in almost every American home. We have followed and participated with FDA in the creation and implementation of the programs and priorities of CFSAN. Accordingly, Kraft has a very substantial interest in the development and implementation of effective food regulatory programs.

Kraft commends FDA for utilizing the CFSAN priority list as an effective management tool with limited resources. Further, we applaud CFSAN's continued efforts to involve all stakeholders in the priority process. In general, we support the emphasis on the broad categories of food safety, food additives, food biotechnology, food health and nutrition labeling. For instance, priorities such as the *Listeria* action plan and a biotechnology policy that includes mandatory consultation and labeling guidance fit well with the current agenda.

For the Agency's FY 2001 plan, Kraft recommends that CSFAN include the following items among its highest priorities.

New Technology. We encourage FDA to stay abreast of evolving and innovative technologies that can lead to improved productivity as the food industry enters the new century. The continued ability of U.S. companies of all sizes to participate in world trade will often depend on a regulatory environment favoring adoption of such innovations. Due to advances in food processing techniques and ingredient technology, many existing food standards are now barriers to significant improvements in food quality and cost. This is perhaps nowhere more apparent than in dairy standards. FDA needs to update and modernize or repeal many obsolete standards not only to acknowledge new technology, but also to fulfill its regulatory function to maintain and administer the food standards program.

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In evaluating whether particular regulations, including product standards, should be retained, modified or eliminated entirely, FDA must consider whether it has the resources to update and enforce those regulations. If FDA cannot assure active maintenance of a regulatory requirement, through ongoing enforcement and periodic review, the specific regulation should be eliminated and replaced with a more general requirement, such as the requirement that a product name must be adequately descriptive. Regulations that are not actively "tended" rapidly become outdated, stifling innovation and frustrating a company's ability to respond effectively to changes in consumer preferences and to advances in food technology. Kraft urges FDA to work with USDA to ensure that the rapid application of important innovations in food production, as well as renovation of food standards, is a high priority in FY 2001.

Allergens. The current concern about undeclared food allergens offers an opportunity for the industry and the Agency to work together to develop guidelines for allergen management practices that result in accurate disclosure on food labels. The quickest and most effective way for broad industry adoption is to create guidelines for best practices that fit within the current food manufacturing infrastructure. This guidance would also address uniform approaches for additional information about allergens so that consumer educational efforts can be initiated to make these approaches meaningful and understandable. If these approaches are not used judiciously, they become meaningless. Development of accurate labels that convey an understandable message to food allergic consumers is an attainable goal for all of the food industry and a worthwhile effort for the Agency.

International Trade. The global marketplace is a reality for companies large and small. We agree that CFSAN should continue to contribute to the leadership role of the U.S. in international venues, such as Codex and WTO, which can influence world trade. Thus, U.S. positions must be grounded in sound science and reflect current best practices as a basis for negotiations. However, since two of our largest trading partners are Canada and Mexico, Kraft encourages FDA to make the NAFTA TWGs an important priority in FY 2001. In particular, as a guiding principle within these meetings, there should be more cooperation for coordination among the three countries of food regulations concerning nutrition, labeling, ingredient approvals, inspection practices and contaminants.

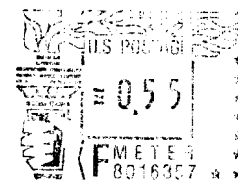
Kraft recognizes that food safety and the Food Safety Initiative have a preeminent position in CSFAN's priority list. We urge the Agency to consider these comments as priorities consistent with other important Agency functions. Simply, we encourage the agency to advance new science and technology to expedite applications that will improve food safety, allow flexible manufacturing practices, and enhance consumer benefits and satisfaction.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ronald J. Triani", written over the typed name.

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